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## THE PENINSULA

### LGBT Rights in Korea and American Foreign Policy

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The [March death](#) of Byun Hee-soo, a former soldier, underscores the challenges faced by LGBT Koreans. She had been [forced out of the military](#) because she underwent gender reassignment surgery. Legal protections for LGBT people are weak in South Korea, and they face significant social and political obstacles. Although the Biden administration has signaled its support for LGBT people, experts say it is far from clear what effect this will

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As noted [previously on this blog](#), conservative Christian groups have an outsize influence over the domestic political conversation. Raphael Rashid, an independent journalist based in Seoul, said that there is only a “small liberal minority” of Christians that have supported

LGBT rights. “Most homophobia stems from Christianity; public opinion is also manipulated by their vocalness affecting non-religious people too,” he said.

But traditional values are another source of disapproval of LGBT individuals in Korean society. Chris Kim, co-chair of the Korean Queer and Trans Organization of D.C., says that neo-Confucian values influence strong views of gender norms, roles, and expectations of the family. Because Korea lacks a welfare system for the elderly, adults become dependent on their children as they age. “Having children is extremely important and valued in Korean society,” he said. “So homosexuality and other sexual orientations, where childbearing is not possible, those are looked down because of those ideas.”

Despite these obstacles, attitudes in Korea are changing. “I have noticed a slow trend towards more positive LGBT tolerance more broadly in South Korea,” said Dr. Timothy Rich, a professor at Western Kentucky University. “It is certainly been more generational.” He recalled a conversation on his first trip to Korea in 2010, when an older official insisted that LGBT people were a foreign phenomenon. But in a [survey in 2020](#) conducted by the Pew Research Center, 79% of respondents between the ages of 18 to 29 believed homosexuality should be accepted by society. In comparison, only 23% of respondents over the age of 50 shared that sentiment.

These social obstacles explain why the Korean legal system has a mixed stance towards LGBT rights. “While all citizens are in theory equal under the country’s constitution, recognition and understanding about LGBT rights have a long way to go,” says Mr. Rashid. In a [2019 review](#) by the Organisation for Economic Co-operation and Development, South Korea was rated as having a moderate level of “legal LGBTI inclusivity.” This term is defined as “the share of laws that are in force among those critical to ensure equal treatment of LGBTI people.” South Korea was estimated to have passed 29% of such laws, compared to the 53% of the larger organization.

The National Human Rights Commission in South Korea [has urged](#) the central government to enact legislation that would provide legal protections for LGBT people. There currently

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are two proposals in front of the Legislation and Judiciary Committee, one submitted by Representative Lee Sang-min of the ruling Democratic Party, and Representative Jang Hye-min of the Justice Party. Both would prohibit discrimination on the basis of several characteristics, including sexual orientation. A survey conducted by Realmeter last year found that 88.5% of respondents supported the establishment of an anti-discrimination law, but it faces a noisy opposition.

Conservative Christian groups are mobilizing to sink the bill by strongly pressuring representatives. Dr. Ryan Thoreson, a researcher at Human Rights Watch, says conservative Christian groups deluge legislators' offices with phone calls and emails, in addition to highly visible public protests. "That's been very successful in preventing lawmakers from seeing through any kind of comprehensive anti-discrimination legislation," he said. Since 2007, there have been seven attempts at enacting a comprehensive anti-discrimination bill, all of which have failed. The success of the current iteration is far from assured.

The Biden administration has made clear that LGBT issues are part of its foreign policy that includes human rights. "Defending and advancing human rights, including the human rights of LGBTQI people, is simply the right thing to do," said Secretary of State Anthony Blinken last month at the Atlantic Council. His remarks come after the State Department released statements for Transgender Day of Visibility in March, the International Day Against Homophobia, Transphobia, and Biphobia in May, and Pride Month in June. This month, the U.S. also quietly became a founding member of the Group of Friends on Sexual Orientation and Gender Identity at the UN Human Rights Council.

Given the sensitive nature of LGBT issues, American diplomats must be cautious in their conversations with their Korean colleagues. "In the past, there have been different waves of anti-US sentiment, based on different things that the U.S. government and the military has done in South Korea, that have upset South Korean citizens," said Mr. Kim. "It is definitely possible that pushing LGBT rights could create an anti-U.S. sentiment."

Actions taken by the U.S. embassy demonstrate the quandary faced by the Americans. Mr. Kim notes that Ambassador Mark Lippert visited a gay pride event in 2015 during his tenure in Seoul, and that the embassy has previously displayed a prominent gay pride flag. But Mr. Rashid observes that the embassy has been quiet about the anti-discrimination law, unlike their European counterparts. "It is an oddity is that even the U.S. Embassy panders to the Christian lobby group during Christmas events run by homophobic right-wing organizations," he added.

Instead, the U.S. should work quietly at emphasizing local efforts to advance equality. "I think amplifying those calls and drawing attention to the kind of domestic struggles for LGBT rights, is a better strategy than coming in and imposing any kind of vision of what South Korea should be doing," said Dr. Thoreson. Hosting events at the American embassy that bring together Korean advocates and legislators "might be a little bit less aggressive and more constructive and engaging on LGBT rights," he said.

Just raising the profile of LGBT people may be a more fruitful endeavor. "For U.S. officials or representatives who are engaging in South Korea, I think one of the most powerful things for them to know is that visibility really matters," said Dr. Thoreson. In his research with LGBT youth in Korea, many have said they feel alone and don't have access to reliable sources of information or support. Thus, symbolic actions like flying the pride flag, or more concrete actions like supporting local LGBT organizations, can have a massive impact on the welfare of LGBT people. "Those kinds of things really do make a difference, and it doesn't have to just be the kind of high level engagement with officials," he said.

"I think there is a tendency among those who haven't done a deep dive to assume that in stable democracies, the public have largely similar views that Americans do," said Dr. Rich. "LGBT issues is a good example of where that often is not the case." Although a contentious issue, U.S. officials should work to address the marginalization of Korean LGBT people. "They do not have all of the rights that should be granted to them," said Mr. Kim. "They are treated poorly, depending on the circumstances and state of affairs in Korea."

*Terrence Matsuo is a Contributing Author at the Korea Economic Institute of America. The views expressed here are the author's alone.*

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